

Steven L. Beshear Governor

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KENTUCKY LABOR CABINET Department of Workers' Claims

657 Chamberlin Avenue Frankfort, KY 40601 Telephone: (502) 564-5550 www.labor.ky.gov/workersclaims J. R. Gray Secretary

Mark S. Brown Deputy Secretary

Dwight T. Lovan Commissioner

August 5, 2009

TO:

Workers' Compensation Insurance Carriers

and Self-Insurers Operating in the Commonwealth of Kentucky

FROM:

Dwight T. Lovan, Commissioner

Kentucky Department of Workers' Claims

SUBJECT: WORKERS' COMPENSATION BENEFIT SCHEDULE - 2010

The Education Cabinet, Department for Workforce Investment, has certified that the average weekly wage of Kentucky for the calendar year 2008 was \$711.79. Based upon that information and in accordance with KRS 342.143, the following determinations are made:

- 1. The increase in maximum income benefits under all provisions of the Workers' Compensation Act for the year 2008 over the year 2007 did amount to \$2.00 or more; therefore, the maximum weekly indemnity benefits for calendar year 2010 shall be \$711.79.
- 2. There was an increase of \$1.00 or more in minimum income benefits; the Act shall be \$142.36 for calendar year 2010.

A schedule of indemnity benefits is attached hereto.

bwm

Attachment



SCHEDULE OF WEEKLY WORKERS' COMPENSATION BENEFITS

SECTION OF STATUTE		FOR INJURIES OCCURING							
7	01-01-05 thru	01-01-06 thru	01-01-07 thru	01-01-08 thru	01-01-09 thru	01-01-10 thru			
ADDI IOADI E AVEDAGE	12-31-05	12-31-06	12-31-07	12-31-08	12-31-09	12-31-1			
APPLICABLE AVERAGE WEEKLY WAGE OF THE STATE	\$607.23 (2003)	\$631.22 (2004)	\$646.47 (2005)	\$670.02 (2006)	\$694.30 (2007)	\$711.79 (2008			
DEATH (KRS 342.750) a. Widow or widower with no children-50% of average weekly wage of deceased-subject to the following: MAXIMUM	\$303.62	\$315.61	\$323.24	\$335.02	\$347.16	\$355.91			
MINIMUM	121.45	126.24	129.29	134.00	138.86	142.36			
b. Widow or widower with children living in the home- 45% of average weekly wage of deceased, plus 15% for each child-subject to the following:	*								
MAXIMUM MINIMUM	\$455.42 121.45	\$473.42 126.24	\$484.85 129.29	\$502.51 134.00	\$520.72 138.86	\$533.84 142.36			
c. Widow or widower with children not living in home-40% of average weekly wage of deceased, plus 15% for each child-subject to the following:									
MAXIMUM MINIMUM	\$455.42 121.45	\$473.42 126.24	\$484.85 129.29	\$502.51 134.00	\$520.72 138.86	\$533.84 142.36			
d. One child, no widow or widower- 50% of average weekly wage of deceased-subject to the following: MAXIMUM MINIMUM	\$303.62 121.45	\$315.61 126.24	\$323.24 129.29	\$335.02 134.00	\$347.16 138.86	\$355.91 142.36			
d(1)More than one child, no widow or widower-50% of average weekly wage of deceased for the first child with an additional 15% of average weekly wage of deceased for each additional child-subject to the									
following: MAXIMUM MINIMUM	\$455.42 21.45	\$473.42 126.24	\$484.85 129.29	\$502.51 134.00	\$520.72 138.86	\$533.8- 142.3			
 Dependent parents- 25% of average weekly wage of deceased to each parent-subject to the following: 									
MAXIMUM MINIMUM	\$455.42 121.45	\$473.42 126.24	\$484.85 129.29	\$502.51 134.00	\$520.72 138.86	\$533.84 142.36			
f. Dependent brothers, sisters, grandparents and grandchildren- 25% of average weekly wage of deceased to each dependent- subject to the following:	0.455.40	0.470.40	040.25	Ø500.54	# 500 70	0500.0			
MAXIMUM MINIMUM	\$455.42 121.45	\$473.42 126.24	\$484.85 129.29	\$502.51 134.00	\$520.72 138.86	\$533.8 142.3			

TYPE OF DISABILITY SECTION OF STATUTE		EOD IN II	JRIES OCCU	DING		
SECTION OF STATUTE	01-01-05 thru 12-31-05	01-01-06 thru 12-31-06	01-01-07 thru 12-31-07	01-01-08 thru 12-31-08	01-01-09 thru 12-31-09	01-01-10 thru 12-31-10
LUMP SUM DEATH BENEFIT INCREASE KRS 342.750(6)	\$59,645.97	\$62,002.42	\$63,500.37	\$65,813.60	\$68,198.54	\$69,916.52
TEMPORARY AND PERMANENT TOTAL KRS 342.730(1)(a) 66 2/3% of average weekly wage of employee-subject to the following: MAXIMUM	\$607.23	\$631.22	\$646.47	\$670.02	\$694.30	\$711.79
MINIMUM	121.45	126.24	129.29	134.00	138.86	142.36
RETRAINING INCENTIVE BENEFITS KRS 342.732(1)(a) 66 2/3% of average weekly wage of employee-subject to following:	ge					
MAXIMUM MINIMUM	\$455.42 NONE	\$473.42 NONE	\$484.85 NONE	\$502.51 NONE	\$520.72 NONE	\$533.8 ² NONE
PERMANENT PARTIAL FOR INJURIES OCCURING AFTER 12-11-96 KRS 342.730(1)(b), (1)(c)2,&(1)(d) 99% of 66 2/3% of average weekly wage of employee subject to the						
following: MAXIMUM MINIMUM	\$455.42 NONE	\$473.42 NONE	\$484.85 NONE	\$502.51 NONE	\$520.72 NONE	\$533.84 NONE
PERMANENT PARTIAL FOR INJURIES OCCURING AFTER 12-11-96 KRS 342.730(1)(c)1,& (1)(d) When the employee does not retain physical capacity to return to type of work performed at time of injury- 99% of 66 2/3% of average weekly wage of employee subject to the following:						
MAXIMUM MINIMUM	\$607.23 NONE	\$631.22 NONE	\$646.47 NONE	\$670.02 NONE	\$694.30 NONE	\$711.79 NONE